

# HISTORIC DISTRICT COMMISSION

## Meeting Minutes

July 9, 2012

### CALL TO ORDER:

Mr. Mike Troutman, Chairperson called the meeting to order at 4:01 p.m.

### ROLL CALL:

**Members Present:** Dan Buscher Kurt Thornton  
Glen Harris Mike Troutman  
Mark Jones Kim Tuck  
Doug Sofia  
Susan Baldwin (City Commission Liaison)

**Staff Present:** Eileen Wicklund, City Attorney  
Glenn Perian, Senior Planner  
Leona Parrish, Admin. Assistant

### ADDITIONS / DELETIONS TO AGENDA: None

### APPROVAL OF PREVIOUS MINUTES:

MOTION WAS MADE BY MR. KURT THORNTON TO APPROVE THE MINUTES AS PRESENTED FROM FEBRUARY 13, 2012 MEETING; SECONDED BY MR. DOUG SOFIA.

ALL IN FAVOR, NONE OPPOSED MOTION; MOTION CARRIED.

### CORRESPONDENCE: None

### OLD BUSINESS: None

### NEW BUSINESS:

#### A) 51 Seedorf Street - (*Request to Demolish*)

Ms. Krista Edwards, Calhoun County Land Bank Authority, stated they are here today to request a Notice to Proceed for the demolition of this property. Said the property was built in 1930, and has been vacant since 2008. Said it is located in the Old Advent Town section of the Local Historic District on the northwest corner of Seedorf and Hanover Street which is adjacent to the Claude Evans Park and that the County had acquired ownership of this property this year through the tax foreclosure process. Noted this property has had a long history of code violations since the year 2000 and was placed on the Dangerous Building list in 2010. Ms. Edwards stated they had asked Mr. Kim Tuck who is NSP2 Coordinator for the City of Battle Creek to conduct an evaluation of the property and prepare a repair estimate; his assessment of this structure was \$118,829.00, which far exceeds the State Equalized Value (SEV) of \$11,207.00 (property's true cash value is \$22,414.00). Therefore, the Land Bank staff feels the structure meets the test for demolition in that

the cost of repair represents a financial hardship (Ref. Ch. 1454.04(e)) and feels that it would be nearly impossible to find a private investor to rehabilitate this property due to the high cost of repair and is asking for approval for a Notice to Proceed for the demolition of this property.

Mr. Kim Tuck stated he would need to abstain from vote regarding the properties on the agenda today as he works for the NSP2 and provided the repair cost estimates for the County Land Bank.

Mr. Doug Sofia asked about demolitions of properties that have animals living within the structure and if they are taken away or just kicked out. Ms. Edwards stated they are kicked out. Mr. Sofia stated the house on Garfield has numerous skunks living inside and he would not want them to go out into the neighborhood. Ms. Edwards stated they can see if they can trap them and be removed, that mostly they have only had to deal with cats in the past.

Mr. Mark Jones stated he is not comfortable with the repair estimates and that they appear high for the consistency of units and that the quantities are not listed for lead abatement etc.; asked for clarification. Mr. Kim Tuck stated that the basis for the estimate is an average cost from previous work done for aluminum siding removal with old siding left behind underneath as well as the trim that has painted surfaces that require lead abatement and that the \$12,000 (\$2,000 ea) has been a consistent number with several other projects of which they have had bids received for the lead abatement. Ms. Krista Edwards stated they have to base their estimates on what there other projects have cost which is what the State of Michigan accepts and that she cannot responsibly send someone to do an assessment on this property. Noted if they are going to demolish this property they do not need to do a lead assessment which is a \$400 dollar cost and that they have to do asbestos. Said if she were to have an asbestos crew here then MSHDA State Housing Authority would say, why you did that if you did not have permission to demolish.

Mr. Tuck said the problem with that particular category is that he does not have a copy of an actual lead asbestos evaluation of this property and without that all he can do is throw in a number which has been consistent with properties which have had similar construction. Said this is a difficult one to do.

Mr. Jones stated he had raised this question in the past and again today and would do so in the future. Mr. Tuck stated he had made several of the changes noted on the previous properties and will do so in the future. Ms. Edwards said they can also add an explanation or a paragraph and that for the Land Bank they add the cost of the projects and then take an average cost for the State of Michigan; but to clarify where the numbers are coming from she can add an explanation.

Mayor Baldwin said just to follow-up on this; she understands it has to fit their form as it is theirs and asked if they can put a one in a 12,000 or for HVAC and define one at (whatever cost). Ms. Edwards stated yes, they can also add an explanation of what type of rehab needing to be done.

Mr. Jones said that if the estimate is incorrect by \$22,000 or \$23,000 it might change the worthiness of the structure and what he is saying is a 20% deviance may make a big difference; need to be true to due diligence.

**MOTION WAS MADE BY MR. KURT THORNTON TO APPROVE THE NOTICE TO PROCEED FOR THE DEMOLITION OF STRUCTURE LOCATED AT 51 SEEDORF STREET; AS THEY MEET STANDARDS #1 AND #3 OUTLINED IN CHAPTER 1470.09 (e) AS DOCUMENTED IN THEIR APPLICATION, RETAINING THE**

**STRUCTURE WOULD CAUSE UNDUE FINANCIAL HARDSHIP TO THE PROPERTY OWNER AND THE BUILDING HAS BEEN VACANT FOR THREE YEARS; SECONDED BY MR. DOUG SOFIA.**

**VOTE TAKEN: SIX IN FAVOR (HARRIS, THORNTON, BUSCHER, SOFIA, TROUTMAN AND JONES); ONE ABSTAINED (TUCK); NONE OPPOSED; MOTION CARRIED.**

**PUBLIC COMMENTS:**

Ms. Krista Edwards came forward to speak regarding gathering public input for the State Historic Preservation Office on the following two properties that are not within a Historic District: 262 Garfield Avenue and 17 Groveland Avenue and they wanted to allow opportunity for the public to speak. Stated they had mailed notices to the surrounding property owners providing information regarding their intent and that they may attend the meeting today to voice any concerns or feedback regarding the demolition of these two properties. Stated they had hired an historic architect from Jackson, MI to also look at the properties and photograph them to send to the library to be placed on file for their records.

Ms. Edwards stated the repair cost estimates for 262 Garfield Avenue and 17 Groveland Avenue have come back higher than their SEV and met the test for demolition; being in a target area, that area would benefit by having them demolished. Noted the property at 17 Groveland Ave. had a neighbor inquire about possibly rehabbing this property or purchasing the lot if it were demolished as he is the owner of the adjacent apartment building and would want it for additional parking.

Mr. Doug Sofia stated that he lives across the street from 262 Garfield Ave. for approximately 20 years and that this has been a derelict property within that neighborhood and had only been occupied maybe 6 or 8 years out of the past 20 years and has had moisture damage, fire damage with the city having to board it up and said the neighborhood would benefit by having it demolished. Ms. Edwards stated they have had to board it up twice since they took ownership last April and is definitely a home that gets broken into and has issues.

Mr. Glen Harris asked what becomes of the parcels after the houses are demolished. Ms. Edwards stated they become side-lots and many times the neighbors want them and as long as the adjacent owners do not have any code violations or delinquent taxes they consider them for a side-lot program. Noted that some parcels have had homes built on them or occasionally gardens for groups that are interested and have the capacity to do so.

Mr. Glen Harris asked how many homes have been demolished overall within the city. Ms. Edwards stated there were 130 last year and hoping to tear down 78 more this year including Glenwood Trace Apartment Complex, which is already underway. Noted they have a lot of interest in side-lots as there are a lot of shared driveways and lots that are small; and have received a lot of calls wanting the vacant lots. Said they are trying to get the properties back into some productive use or at least becoming an asset to the community rather than just a dangerous building, which bring down property values.

Mr. Mark Jones asked regarding 17 Groveland where the structure next door is a multi-unit; he believes those properties are zoned R-1 single-family and he would not be in favor of turning this into a parking lot for multi-unit, as he does not think it agrees with the zoning code as an R-1. Said tearing down homes to make a parking lot for a multi-unit which should not be there in the first place is not something that he would want to encourage. Said a side-lot yes, if someone wants to have a garden

etc., but increasing the density of his area he is not in favor of doing. Ms. Edwards stated she believes that their property on Groveland is zoned R-2 as it has always been a duplex and once it is sold they would not have any deed restrictions and would lose control. Said the conversation with the neighbor on the phone stated he was more interested in having a garage structure on the property and marring those two lots to bring some harmony to it; but cannot promise that as it was only an email and phone conversation and would have to be looked into further.

Mr. Doug Sofia stated that regarding the home next door to the property requesting to be torn down on Groveland St.; it was constructed as a duplex as his brother had lived there in 1970's and he has lived in the neighborhood since the 1950's and it has always been a duplex and was constructed as a duplex originally with two stairwells going to the upstairs and two basements.

Mr. Kurt Thornton said he understands that this is just information for them and that no action is to be taken by the Historic District Commission. It was stated that was correct.

### **COMMENTS FROM COMMISSION MEMBERS AND STAFF:**

Mr. Kurt Thornton stated he had done a series of drawings last year for Kellogg Community College and provided a copy for the commission. Mr. Thornton also noted that the Enquirer and News had contacted him and asked him about the Preservation Ordinance Chapter 1470.11 regarding the city going in and making repairs and then bills the owners for the work done. Said he discovered that his Historic District Handbook had an incomplete copy of the ordinance that did not include that section and what he understands is that the problem is they have to get the monies to do that; one building in particular the Enquirer had inquired about was the Heritage Tower which was the Comerica Building. Ms. Eileen Wicklund, City Attorney stated the problem would be in finding the funding to be given to the Historic District Commission for that purpose. Mr. Thornton stated he was surprised to see that written in the ordinance.

### **ADJOURNMENT:**

Mr. Mike Troutman, Chair adjourned meeting at 4:30 P.M.

Submitted by: Leona A. Parrish, Administrative Assistant, Planning Department